GOVERNMENT OF INDIA
URBAN DEVELOPMENT AND POVERTY ALLEVATION
LOK SABHA

UNSTARRED QUESTION NO:3348
ANSWERED ON:11.12.2001
ADDITIONAL FLOOR AND INCREASE IN FLOOR AREAS RATIO
GADDE RAMAMOHAN;M.V.V.S MURTHI;SHIVAJI MANE

Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVATION be pleased to state:

(a) whether his Ministry have recently given consent to additional floor and increased the floor area ratio for the residential buildings as per the Malhotra Committee report;

(b) if so, the details in this regard;

(c) the details of other recommendations made by the Malhotra Committee;

(d) whether all the recommondations have been examined by the Union Government;

(e) if so, the number out of them accepted by the Union Government;

(f) the number out of them implemented; and

(g) the reasons for delay in implementing all the recommendations?

Answer

MINISTER OF STATE FOR URBAN DEVELOPMENT & POVERTY ALLEVIATION (SHRI BANDARU DATTATREYA)

(a)to(g): The Government of NCT of Delhi (GNCTD) had constituted a Committee under the Chairmanship of Prof.V.K. Malhotra on December 4, 1997 to look into the matter relating to Unified Building Bye-laws in Delhi. On examination of the Report of this Committee as forwarded by the GNCTD, the Ministry of Urban Development made some modifications in the MPD-2001 vide notification of July 23, 1998. A copy of this notification is at Annexure-1.

A further notification was issued by the Government on June 7, 2000 wherein it was stipulated that building plans to be sanctioned in accordance with the amended Building Bye-laws of 1998 would be subject to provision of the layout plans and service plans already sanctioned and no layout plan and service plan should be amended till provision of required municipal services are ensured (Annexure-II).

Subsequently, the Government vide another notification dated August 7, 2000 (Annexure-III), modified the Master Plan of Delhi 2001 by making planning and development control norms for farm houses to be the same as existing prior to the notification of July 23, 1998.

The Government has recently clarified that subject to the applicants undertaking that no additional dwelling units would be created, building plan may be sanctioned taking into account the increased Floor Area Ratio (FAR) and number of floors as permitted in the notification of the Ministry dated July 23, 1998. It has also stipulated that the levy collected on increased FAR would be deposited in a separate escrow account to be utilised exclusively for up-gradations of civic infrastructure services.

ANNEXURES REFERRED TO IN REPLY TO LOK SABHA UNSTARRED QUESTION NO.3348 FOR 11.12.2001.

ANNEXURE-I

MINISITRY OF URBAN AFFAIRS & EMPLOYMENT

(Department of Urban Development)

(Delhi Division)

NOTIFICATION

New Delhi, the 23rd July, 1998

S.O. 623 (E)- Whereas the Building Bye-laws 1983 have been under examination for some time,

Whereas the Unified Building Bye-laws and consequential modifications to Master Plan for Delhi - 2001 (MPD-2001) have been examined in detail by Delhi Development Authority, Municipal Corporation of Delhi, New Delhi Municipal Council and the Govt. of NCT of Delhi especially in the light of the recommendations made by the Committee set up under the Chairmanship of Prof. V.K. Malhotra.

Whereas public notices dated 20.5.98 were issued by this Ministry inviting suggestions/objections with respect to the proposed modifications in the MPD-2001.

Whereas such notices were also issued in the newspapers dated 24.5.98.

Whereas 290 objections/suggestions received in the Ministry were examined by the Committee set up under the Chairmanship of Chief Planner, TCPO with representatives from DDA, MCD and NDMC and the Report of the Committee submitted to the Government on 17.7.98.

And whereas the Central Government have, after carefully considering all aspects of the matter, decided to modify the MPD-2001.

Now, therefore, in exercise of the powers conferred by sub-sectiuon (2) of Section 11A of Delhi Development Act, 1957, the Central Government hereby make the modifications as per annexure in the said MPD - 2001 with effect from the date of publication of this Notification in the Gazette of India.

(No.K-12016/5/79-DDIA/VA)

(Surinder Mohan, Desk Officer)

MODIFICATIONS

1. On page 159 (Right Hand Side) of Gazatte of the India dated 1.8.90 and in supersession of the Notification dated 15.05.95, the table and foot notes under Residential Plot plotted housing (001) are amended as follows:

Sl. No.	Area of Plot (Sq. Mt.)	Maximum Ground Coverage(%)	FAR	No. of DUs (In Mtr.)	Max. Height
1.	Below 32	75	225	1	12.5
2.	Above 32 to 50	75	225	2	12.5
3.	Above 50 to 100	75	225	3	12.5
4.	Above 100 to 250	66.66	200	3	12.5
5.	Above 250 to 500	50	150	3 (4)	12.5
6.	Above 500 to 1000	40	120	6 (8)	12.5
7	Above 1000 to 1500	33.33	100	6 (8)	12.5
8.	Above 1500 to 2250	33.33	100	9 (12)	12.5
9.	Above 2250 to 3000	33.33	100	12 (16)	12.5
10.	Above 3000 to 3750	33.33	100	15 (20)	12.5
11.	Above 3750	33.33	100	18(24)	12.5

NOTE:

Levy on the additional FAR to be allowed vide table above over the FAR allowed vide Notification dated 15.05.95, including the basement and/or developoment charges shall be charged at the rates as laid down in the Building Bye-laws or through Government orders and as revised from time to time.

(ii) In case of residential plots above 250 sq.mtrs. facing 24 mtrs and above road (a) the FAR shall be increased by the maximum

ground floor coverage, (b) maximum height shall be 15 mtrs. and (c) the number of dwelling units shall be as given in brackets.

(iv) (a) Basement:

(1) Basement in case of plotted development if constructed shall not be included in FAR.

(2) Basement area shall not exceed the ground floor converage and shall be below the ground floor. Basement area may, however, be extended below the internal courtyard and shaft.

Rest of the footnotes i.e. (i) and (v) to (xi) of Notification dated 15.5.95 shall continue.

2. On page 160 (Left Hand Side) of the Gazetteof India dated 1.8.90 under Residential Plot - Group Housing (002),the following amendments/additions are made:

Maximum FAR 167 Maximum height 33 mtrs. NOTE:

Levyon additional FAR and/or development charges for additionl FARshall be chrgeed at the rate of Rs.450/- as decided bythe Government from time to time.

Other controls:

(i) The net housing density permissible shall be 175 DUs per ha. witha 15% variation on either side. This should be indicated in the Zonal Plan/Layout plan taking into consideration the gross residential density prescribed for the area. A tthe permissible level, maximum variationin density shall be 5%.

In case of Bungalow area (Part Division D)and Civil Lines area (Part Division C), any redisential density in group housingpockets shall be prescribed on the basis of detailed scheme.

(iv) Additional FAR upto a maximum of 400 sq.mtrs. shalll be allowed to cater to community needs such as community/recreational hall, creche, library, reading room and society office.

On page 155 (Left Hand Side) under usage/useactivities permitted n use premises below Residential Plot- GroupHousing (002) entry under creche and day-care centre will be replace by the following:

community/recreational hall, library, reading room and society office are permitted on the ground floor.

3. On page 166 (Left hand Side) in the Gazette of Indiadated 1.8.90 under Professional Activity, the provision is replaced by the following:

Professional activity shalll be allowed in residential plots and flats on any floor on the following conditions:

Part of the premises shall be permitted to be use upto a maximum of 25% of FAr or 100 sq.mtrs. whichever is less, for non residential but non professional skills.

Farm Houses (135)

4. On page 164 (RHS) of the Gazette of India dated 1.8.90, the table will be replaced by the following:

(i)	Minimum size of the farm house	0.8 ha.
(ii)	Maximum ground coverage	5%
(iii)	Maximum FAR irrespective of the size of the farm)	5(subject to maximum of 500 sq. mtr.
(iv)	Number of storeys	two
(v)	Maximum height	8 mtrs.

All constructions including basement, if any, will be counted towards FAR.

Land will be surrendered free of cost for circulation mentwork and infrastructure requirements as per the layout plan by the land owners, allowing them the benefit of FAR on total area.

Leavy on additional FAR over and above permitted vide Government of India, Gazette Notification dated 1.8.90 and/or development charges shall be charged at rates to be decided by the Government of India from time to time.

ANNEXURE-II

MINISTRY OF URBAN DEVELOPMENT

(Delhi Division)

NOTIFICATION

New Delhi, the 7th June, 2000

S.O. 557 (E) - In exercise of the powers conferred by Section 349 A of the Delhi Municipal Corporation Act, 1957 and Section 260 of the New Delhi Municipal Council Act, 1994, the Unified Building Bye-Laws, 1983 stand modified to the extent as indicated in paras 1 to 3 of the Annexure to this Ministry`s Notification of even number dated 23rd July, 1998, as required under Section 483 of the DMC Act and Section 388 of the NDMC Act, the building plans to be sanctioned in accordance with the amended bye-laws would be subject to provisions of the layout plans and service plans already sanctioned, and no such layout/service plans would be amended till arrangements for provision of augmented municipal services such s water, power, sewerage, road widening, circulation, parking, parks (green areas), etc. have been made. No plot-housing can be converted into group-housing.

{No.K-12016/5/79-DDIA/VA/lB(pt)}

R.S. GUSAIN, UNDER SECY.

ANNEXURE-III

MINISTRY OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION

(DELHI DIVISION)

NOTIFICATION

New Delhi, the 7th August, 2000

S.O. 738(E)- Whereas there are certain modifications which the Central Government propose to make in the Master Plan for Delhi-2001 regarding the planning/development control norms for Farm Houses;

2. Whereas Public Notice dated 7.6.2000 was issued by this Ministry inviting objections/suggestions with respect to the proposed modifications in the MPD-2001;

3. Whereas such notice was also issued in the newspapers dated 14.6.2000;

4 . Whereas 732 objections/suggestions were received with regard to the proposed modification and whereas the Central Government have, after carefully considering all aspects of the matter, decided to modify the Master Plan for Delhi-2001;

5. Now, therefore, in exercise of the powers conferred by sub-section (2) of Section 11-A of the said Act, the Central Government hereby make the following modification in the said Master Plan for Delhi-2001 with effect from the date of publication of this Notification in the Gazette of India:-

MODIFICATIONS FARM HOUSES (135)

On page 164 (RHS) of the Gazette of India dated 1.8.1990 and subsequently modified vide Notification dated 23.7.1998, the planning/development control norms for Farm Houses will be the same as existing prior to the Notification dated July 23, 1998.

(No. K-12016/5/79-DDIA/VA/lB(Pt.) Dr. NIVEDITA P. HARAN, Jt. Secy.